

By Deady

H. J. R. No. 12

Sliden
Inman

A JOINT RESOLUTION

Barber
Haynes
Whalley
Smith
Longoria
Jones

Proposing an amendment to the Constitution of Texas adding a section to be known as Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III of the Constitution of Texas be amended by adding a new section thereto to be known as Section 49-e, as follows:

"Section 49-e. The Parks and Wildlife Department, or its successor vested with the powers, duties, and authority which deals with the operation, maintenance, and improvement of State Parks, shall have the authority to provide for, issue and sell general obligation bonds of the State of Texas in an amount not to exceed Seventy-Five Million Dollars (\$75,000,000). The bonds authorized herein shall be called "Texas Park Development Bonds" shall be executed in such form, denominations, and upon such terms as may be prescribed by law, provided, however, that the bonds shall ^{Insert ①} ~~not bear more than six per cent (6%)~~ ~~interest per annum~~, they may be issued in such installments as said Parks and Wildlife Department, or its said successor, finds feasible and practical in accomplishing the purpose set forth herein.

"All moneys received from the sale of said bonds shall be deposited in a fund hereby created with the State Treasurer to

be known as the Texas Park Development Fund to be administered (without further appropriation) by the said Parks and Wildlife Department, or its said successor, in such manner as prescribed by law.

"Such fund shall be used by said Parks and Wildlife Department, or its said successor, under such provisions as the Legislature may prescribe by general law, for the purposes of acquiring lands from the United States, or any governmental agency thereof, from any governmental agency of the State of Texas, or from any person, firm or corporation, for State Park Sites and for developing said sites as State Parks.

"While any of the bonds authorized by this provision, or any interest on any such bonds, is outstanding and unpaid, there is hereby appropriated out of the first moneys coming into the Treasury in each fiscal year, not otherwise appropriated by this Constitution, an amount which is sufficient to pay the principal and interest on such bonds that mature or become due during such fiscal year, less the amount in the interest and sinking fund at the close of the prior fiscal year, which includes any receipts derived during the prior fiscal year by said Parks and Wildlife Department, or its said successor, from admission charges to State Parks, as the Legislature may prescribe by general law.

"The Legislature may provide for the investment of moneys available in the Texas Park Development Fund and the interest and sinking fund established for the payment of bonds issued by said Parks and Wildlife Department, or its said successor. Income from such investment shall be used for the purposes prescribed by the Legislature.

"From the moneys received by said Parks and Wildlife Department, or its said successor, from the sale of the bonds issued hereunder, there shall be deposited in the interest and sinking fund for the bonds authorized by this ~~section~~ sufficient moneys to pay the interest to become due during the State fiscal year in which the bonds were issued. After all bonds have been fully paid with interest, or after there are on deposit in the interest and sinking fund sufficient moneys to pay all future maturities of principal and interest, additional moneys received from admission charges to State Parks shall be deposited to the State Parks Fund, or any successor fund which may be established by the Legislature as a depository for Park revenue earned by said Parks and Wildlife Department, or its said successor.

"All bonds issued hereunder shall after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas, and delivery to the purchasers, be incontestable and shall constitute general obligations of the State of Texas under the Constitution of Texas.

"Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such ~~acts~~ shall not be void by reason of their anticipatory nature^u.

~~Section~~ 2. The foregoing amendment to the Constitution shall be submitted to a vote of the qualified electors of this State at an election to be held on the 7th day of November 1967, same being the 1st Tuesday after the 1st Monday in said November 1967, at which election each ballot shall have printed thereon, the following words:

"FOR the amendment to the Constitution of Texas adding a new section to be known as Section 49-e of Article III,

authorizing the issuance and sale of Seventy-Five Million Dollars (\$75,000,000) in bonds by the State of Texas to create the Texas Park Development Fund to acquire lands for State Park sites and to develop State Parks".

"AGAINST the amendment to the Constitution of Texas adding a new section to be known as Section 49-e of Article III, authorizing the issuance and sale of Seventy-Five Million Dollars (\$75,000,000) in bonds by the State of Texas to create the Texas Park Development Fund to acquire lands for State Park sites and to develop State Parks".

~~Section~~ 3. The Governor of the State of Texas shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State. The expense of publication and election for such amendment shall be paid out of the proper appropriation made by law. *Such publication of this Amendment shall be limited to the publication of Section 1 and 2 of this Resolution only.*

BILL ANALYSIS(1) Background Information

Section 49, Article III of the Constitution, provides for a Teachers' Retirement Fund, Veterans' Land Fund, and Texas Water Development Fund. No fund has been created for Texas Park Development.

(2) What the Bill proposes to do

The Bill proposes an amendment to the Constitution by adding Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create a Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law and providing for the calling of an election and the publication and issuance of the proclamation therefor.

(3) Section by Section Analysis

Section 1: The Parks and Wildlife Department, or its successor, shall have the authority to provide for, issue, and sell general obligation bonds of the State of Texas in an amount not to exceed \$75,000,000. The bonds shall be called "Texas Park Development Bonds". The bonds shall not exceed 6% and will be issued as the Parks and Wildlife Department sees fit.

All moneys received from the sale of bonds shall be deposited with the State Treasurer in the Texas Park Development Fund, and administered by the Parks and Wildlife Department.

The Fund will be used to acquire Park Sites and for developing the Sites into State Parks.

The maturing bonds and interest of each fiscal year shall be appropriated out of the first moneys coming into the Treasury in each fiscal year.

The Legislature may provide for the investment of the Fund, and may provide for an interest and sinking fund for the payment of the bonds. Income from investment shall be used for purposes prescribed by the Legislature.

From moneys received by the sale of bonds, there shall be deposited sufficient moneys in the interest and sinking fund to pay the interest to become due during the State fiscal year in which the bonds were issued. After all bonds and interest have been fully paid or after there are on deposit in the interest and sinking fund sufficient moneys to pay all future maturities of principal and interest, additional moneys received from admission charges to State Parks shall be deposited in the State Parks Fund, or in any successor fund which may be established by the Legislature.

All bonds, after approval of the Attorney General, registration by the Comptroller, and delivery to purchasers, shall be incontestable and shall constitute general obligations of the State of Texas.

Should the Legislature enact enabling laws in anticipation of the adoption of the amendment, such acts shall not be void by reason of their anticipatory nature.

Section 2: The foregoing amendment will be submitted to the qualified electors on the 7th day of November, 1967.

Section 3: The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State. The expense of publication and election of this amendment shall be paid out of the proper appropriations made by law.

Committee Amendment No. 1: Amend Section 1, H.J.R. 12, by deleting the following words: "not bear more than Six Percent (6%) interest per annum" and in lieu thereof: "bear a rate or rates of interest as may be fixed by the Parks and Wildlife Department or its successor, but the weighted average annual interest rate, as that phrase is commonly and ordinarily used and understood in the municipal bond market, of all the bonds issued and sold in any installment of any bonds, shall not exceed Four and One-Half Percent (4½%) interest per annum".

Committee Amendment No. 2: Amend Section 3, H.J.R. 12, by adding the following sentence: "Such publication of this Amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only."

(4) Summary of Committee Hearing:

Representative Hendryx explained H.J.R. 12, and Mr. William M. Gosdin, from the Texas Parks and Wildlife Department, spoke in favor of H.J.R. 12. There were no witnesses to speak against H.J.R. 12. The bill was sent to subcommittee. The Committee unanimously accepted two subcommittee amendments, and reported H.J.R. 12 back to the House with the recommendation that it do pass as amended and be printed.

FORM B

(For favorable reports on bills where committee amendments other than "committee substitutes" are recommended; and for resolutions where committee amendments, including complete substitutes, are recommended.)

COMMITTEE REPORT

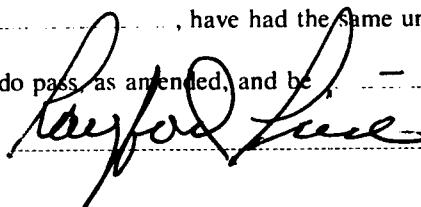
Date 3-14-67

HON. BEN BARNES

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendments, to whom was referred HJR No. 12, have had the same under consideration and beg to report back with recommendation that it do pass, as amended, and be - printed.



Chairman.

(In the case of simple and concurrent resolutions the words "and be printed" should be stricken out since resolutions are printed in the Journal when they are first introduced.)

The word "not" should be inserted before "printed" only in case of a local bill reported favorably with amendments and ordered not printed, which is customary for local bills.

①
COMMITTEE AMENDMENT

NO. 1

AMENDMENT TO HOUSE JOINT RESOLUTION NO. 12

No. 1

By Hendryz et al

AMEND HJR 12, Lines 25 and 26 by deleting the words following "shall", the following: "not bear more than Six Per Cent (6%) interest per annum" and add in lieu thereof after the word "shall" on Line 25, the following language:

Insert
① { "bear a rate or rates of interest as may be fixed by the Parks and Wildlife Department or its successor, but the weighted average annual interest rate, as that phrase is commonly and ordinarily used and understood in the municipal bond market, of all the bonds issued and sold in any installment of any bonds, shall not exceed Four and One-Half Per Cent (4½%) interest per annum;"

A.C. Atwood

DATE MAR 21 1967

READ AND ADOPTED

Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

②

COMMITTEE AMENDMENT

NO. 2

Amendment # 2

By _____

Amend H.J.R. 12 by adding a new sentence at the end of Section 3 as follows:

① Such publication of this Amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only. ②

AC Howard

MAR 21 1967

DATE _____

READ AND ADOPTED

Dorothy Hallman

CHIEF CLERK
HOUSE OF REPRESENTATIVES

OK

100

By: Hendryx, et al

H.J.R. No. 12

HOUSE JOINT RESOLUTION

proposing an amendment to the Constitution of Texas adding a section to be known as Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law; and providing for the calling of an election and the publication and issuance of the proclamation therefor. _____

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III of the Constitution of Texas be amended by adding a new section thereto to be known as Section 49-e, as follows: _____

"Section 49-e. The Parks and Wildlife Department, or its successor vested with the powers, duties, and authority which deals with the operation, maintenance, and improvement of State Parks, shall have the authority to provide for, issue and sell general obligation bonds of the State of Texas in an amount not to exceed Seventy-Five Million Dollars (\$75,000,000). The bonds authorized herein shall be called "Texas Park Development Bonds," shall be executed in such form, denominations, and upon such terms as may be prescribed by law, provided, however, that the bonds shall bear a rate or rates of interest as may be fixed by the Parks and Wildlife Department or its successor, but the weighted average annual interest rate, as that phrase is commonly and ordinarily _____

used and understood in the municipal bond market, of all the bonds issued and sold in any installment of any bonds, shall not exceed four and one-half percent (4 1/2%) interest per annum; they may be issued in such installments as said Parks and Wildlife Department, or its said successor, finds feasible and practical in accomplishing the purpose set forth herein._____

"All moneys received from the sale of said bonds shall be deposited in a fund hereby created with the State Treasurer to be known as the Texas Park Development Fund to be administered (without further appropriation) by the said Parks and Wildlife Department, or its said successor, in such manner as prescribed by law.

"Such fund shall be used by said Parks and Wildlife Department, or its said successor, under such provisions as the Legislature may prescribe by general law, for the purposes of acquiring lands from the United States, or any governmental agency thereof, from any governmental agency of the State of Texas, or from any person, firm, or corporation, for State Park Sites and for developing said sites as State Parks._____

"While any of the bonds authorized by this provision, or any interest on any such bonds, is outstanding and unpaid, there is hereby appropriated out of the first moneys coming into the Treasury in each fiscal year, not otherwise appropriated by this Constitution, an amount which is sufficient to pay the principal and interest on such bonds that mature or become due during such fiscal year, less the amount in the interest and sinking fund at the close of the prior fiscal year, which includes any receipts derived during the prior fiscal year by said Parks and Wildlife_____

Department, or its said successor, from admission charges to State Parks, as the Legislature may prescribe by general law. _____

"The Legislature may provide for the investment of moneys available in the Texas Park Development Fund and the interest and sinking fund established for the payment of bonds issued by said Parks and Wildlife Department, or its said successor. Income from such investment shall be used for the purposes prescribed by the Legislature. _____

"From the moneys received by said Parks and Wildlife Department, or its said successor, from the sale of the bonds issued hereunder, there shall be deposited in the interest and sinking fund for the bonds authorized by this section sufficient moneys to pay the interest to become due during the State fiscal year in which the bonds were issued. After all bonds have been fully paid with interest, or after there are on deposit in the interest and sinking fund sufficient moneys to pay all future maturities of principal and interest, additional moneys received from admission charges to State Parks shall be deposited to the State Parks Fund, or any successor fund which may be established by the Legislature as a depository for Park revenue earned by said Parks and Wildlife Department, or its said successor. _____

"All bonds issued hereunder shall after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas, and delivery to the purchasers, be incontestable and shall constitute general obligations of the State of Texas under the Constitution of Texas. _____

"Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be void by reason of their anticipatory nature."

Sec. 2. The foregoing amendment to the Constitution shall be submitted to a vote of the qualified electors of this State at an election to be held on the ^{November 11, 1967,} ~~7th day of November 1967, same~~ ~~being the 1st Tuesday after the 1st Monday in said November 1967,~~ at which election each ballot shall have printed thereon, the following words:

"FOR the amendment to the Constitution of Texas adding a new section to be known as Section 49-e of Article III, authorizing the issuance and sale of Seventy-Five Million Dollars (\$75,000,000) in bonds by the State of Texas to create the Texas Park Development Fund to acquire lands for State Park sites and to develop State Parks."

"AGAINST the amendment to the Constitution of Texas adding a new section to be known as Section 49-e of Article III, authorizing the issuance and sale of Seventy-Five Million Dollars (\$75,000,000) in bonds by the State of Texas to create the Texas Park Development Fund to acquire lands for State Park sites and to develop State Parks."

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H.J.R. No. 12

The expense of publication and election for such amendment shall be paid out of the proper appropriation made by law. Such publication of this amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only. _____

Austin, Texas

May 4, 1967

Hon. Preston Smith
President of the Senate

Sir:

We, your Committee on CONSTITUTIONAL AMENDMENTS,
to which was referred HJR 8. No. 12, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.


Chairman MOORE

CAS

ENROLLED
H.J.R. No. 12

HOUSE JOINT RESOLUTION

proposing an amendment to the Constitution of Texas adding a section to be known as Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

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used and understood in the municipal bond market, of all the bonds issued and sold in any installment of any bonds, shall not exceed four and one-half percent (4 1/2%) interest per annum; they may be issued in such installments as said Parks and Wildlife Department, or its said successor, finds feasible and practical in accomplishing the purpose set forth herein.

"All moneys received from the sale of said bonds shall be deposited in a fund hereby created with the State Treasurer to be known as the Texas Park Development Fund to be administered (without further appropriation) by the said Parks and Wildlife Department, or its said successor, in such manner as prescribed by law.

"Such fund shall be used by said Parks and Wildlife Department, or its said successor, under such provisions as the Legislature may prescribe by general law, for the purposes of acquiring lands from the United States, or any governmental agency thereof, from any governmental agency of the State of Texas, or from any person, firm, or corporation, for State Park Sites and for developing said sites as State Parks.

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Department, or its said successor, from admission charges to State Parks, as the Legislature may prescribe by general law.

"The Legislature may provide for the investment of moneys available in the Texas Park Development Fund and the interest and sinking fund established for the payment of bonds issued by said Parks and Wildlife Department, or its said successor. Income from such investment shall be used for the purposes prescribed by the Legislature.

"From the moneys received by said Parks and Wildlife Department, or its said successor, from the sale of the bonds issued hereunder, there shall be deposited in the interest and sinking fund for the bonds authorized by this section sufficient moneys to pay the interest to become due during the State fiscal year in which the bonds were issued. After all bonds have been fully paid with interest, or after there are on deposit in the interest and sinking fund sufficient moneys to pay all future maturities of principal and interest, additional moneys received from admission charges to State Parks shall be deposited to the State Parks Fund, or any successor fund which may be established by the Legislature as a depository for Park revenue earned by said Parks and Wildlife Department, or its said successor.

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H.J.R. No. 12

"Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be void by reason of their anticipatory nature."

Sec. 2. The foregoing amendment to the Constitution shall be submitted to a vote of the qualified electors of this State at an election to be held on November 11, 1967, at which election each ballot shall have printed thereon, the following words:

"FOR the amendment to the Constitution of Texas adding a new section to be known as Section 49-e of Article III, authorizing the issuance and sale of Seventy-Five Million Dollars (\$75,000,000) in bonds by the State of Texas to create the Texas Park Development Fund to acquire lands for State Park sites and to develop State Parks."

"AGAINST the amendment to the Constitution of Texas adding a new section to be known as Section 49-e of Article III, authorizing the issuance and sale of Seventy-Five Million Dollars (\$75,000,000) in bonds by the State of Texas to create the Texas Park Development Fund to acquire lands for State Park sites and to develop State Parks."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

H.J.R. No. 12

The expense of publication and election for such amendment shall be paid out of the proper appropriation made by law. Such publication of this amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only.

Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that H.J.R. No. 12 was passed by the House on March 21, 1967, by the following vote: Yeas 149, Nays 0; and that the House adopted H.C.R. No. 166 authorizing certain corrections in H.J.R. No. 12 on May 27, 1967.

Chief Clerk of the House

I hereby certify that H.J.R. No. 12 was passed by the Senate on May 26, 1967, by the following vote: Yeas 30, Nays 1; and that the Senate adopted H.C.R. No. 166 authorizing certain corrections in H.J.R. No. 12 on May 27, 1967.

Secretary of the Senate

APPROVED:

6/18/67
Date

SECRETARY OF STATE

1:05pm JCLGCH

JUN 18 1967

John Connally
Governor

John L. Hill
Secretary of State

H.J.R. No. 12 By Henry et al

A JOINT RESOLUTION

proposing an amendment to the Constitution of Texas adding a section to be known as Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

FILED JAN 20 1967

JAN 26 1967 READ 1ST TIME AND REFERRED TO COMMITTEE ON Constitutional Amendments

MAR 16 1967 REPORTED FAVORABLY SENT TO PRINTER AS AMENDED

PRINTED, DISTRIBUTED AND REFERRED TO COMMITTEE ON RULES 11:30 a.m. MAR 17 1967 (Time) (Date)



MAR 21 1967 READ SECOND TIME Amended AND ORDERED ENGROSSED, + finally adapted, by vote of 149 ayes, 0 noes. Dorothy Hallman Chief Clerk, House of Representatives

A.M. MAR 21 1967 SENT TO ENGROSSING CLERK

HOUSE JOINT RESOLUTION

proposing an amendment to the Constitution of Texas adding a section to be known as Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

1-25-67 Filed.

1-26-67 Read first time and referred to Committee on Constitutional Amendments.

3-16-67 Reported favorably as amended, sent to printer.

3-17-67 Printed, distributed and referred to Committee on Rules at 11:30 a.m.

3-21-67 Read second time, amended, ordered engrossed and finally adopted by the following vote: Yeas 149, Nays 0.

Dorothy Hallman
Chief Clerk, H. of R.

3-21-67 Sent to Engrossing Clerk.

3-21-67 Engrossed.

Orela Guffin
Engrossing Clerk, H. of R.

MAR 22 1967 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

MAR 22 1967

IN THE SENATE
Received from the House

MAY 24 1967

Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III) *failed to*
suspend by a vote of 21 yeas,
6 nays, to place bill on third
reading and final passage.

MAY 4 1967

Read first time
and referred to Committee
on Constitutional Amendments

MAY 5 1967

Reported Favorably;

MAY 26 1967

Regular order of business sus-
pended by unanimous consent to
permit consideration.

MAY 24 1967

Regular order of business sus-
pended by unanimous consent to
permit consideration.

MAY 26 1967

READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:

Yeas 30 Nays 1

Charles Schnabel
Secretary of the Senate

MAY 24 1967

READ SECOND TIME,

AND PASSED TO THIRD READING.

MAY 27 1967

SENT TO HOUSE

MAY 27 1967

RETURNED FROM SENATE

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1967

SENT TO ENROLLING CLERK